

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

Carlos Morales, et al.

v.

NH Civil No. 05-ds-114-JD
PR Civil No. 04-1760

Puerto Rico Department
of Education, et al.

O R D E R

Counsel for the defendants, Kristine Burgos Santiago, Federal Litigation Division, Department of Justice, filed a motion to inform the court of her annual leave, which includes a week in April, the month of July, and a week in November. She asks the court not to schedule hearings or conferences during the time that she plans to be on leave and to grant her an automatic extension of fifteen days to respond to any motion that is filed during her six weeks of leave.

The court declines to conform its schedule to accommodate counsel's vacation plans. The court expects counsel to make arrangements for coverage by another attorney in order to comply with the defendants' obligations and the court's deadlines, orders, and proceedings. The defendants have delayed this case by failing to comply with other court deadlines and orders and further delay is not justified or appropriate.

The defendants have also filed a motion for leave to file the transcript of the administrative hearing in Spanish. The defendants represent that the translation would be filed as soon

as it is ready. The defendants have not indicated when the English translation would be filed. Filing the transcript in Spanish will do nothing to advance the case or to meet the defendants' obligations stated in the order issued on November 21, 2005.

"It is well settled that federal litigation in Puerto Rico must be conducted in English." Gonzalez-De-Blasini v. Family Dep't, 377 F.3d 81, 88 (1st Cir. 2004) (internal quotation marks omitted); see also D.P.R.R. 10(b). The defendants were ordered to produce the transcript in December of 2005. Three months later the defendants still are not prepared to comply with the order, and default has been entered against them. Therefore, the motion is denied.

Conclusion

For the foregoing reasons, the defendants' motion seeking scheduling accommodations (document no. 24) and motion to file a document in Spanish (document no. 22) are denied.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge
(Sitting by designation.)

March 31, 2006

cc: Jose E. Cespedes-Sabater, Esquire
Alfredo Fernandez-Martinez
Kristine Burgos Santiago, Esquire
USDC-PR, Clerk